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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

LEROY ATKINS and GERALDINE ATKINS,
individually and on behalf of all those similarly
situated,

Plaintiffs,

vs.

METLIFE, INC.; METROPOLITAN LIFE
INSURANCE COMPANY; BRIGHOUSE
FINANCIAL, INC.; and BRIGHOUSE LIFE
INSURANCE COMPANY,

Defendants.

Case No. 2:19-cv-02004-RFB-NJK

**STIPULATION AND ORDER FOR
EXTENSION OF TIME**

(First Request)

Pursuant to LR IA 6-1, Plaintiffs Leroy Atkins and Geraldine Atkins (jointly, "Plaintiffs")
and Defendants MetLife, Inc., Metropolitan Life Insurance Company (jointly, "MetLife"),

Brighthouse Financial, Inc. (“Brighthouse Inc.”), and Brighthouse Life Insurance Company (“BLIC”) (collectively, the “Parties”) stipulate and agree as follows:

1. On November 18, 2019, Plaintiffs filed a Class Action Complaint (the “Initial Complaint”) against MetLife and Brighthouse (collectively, “Defendants”). (ECF No. 1.)

2. On February 3, 2020, Plaintiffs filed an Unopposed Motion to Add Party Defendant Brighthouse Life Insurance Company (BLIC) (the “Unopposed Motion”). (ECF No. 15.)

3. On February 5, 2020, the Court granted Plaintiffs’ Unopposed Motion and ordered that “Plaintiffs shall promptly file and serve the amended complaint.” (ECF No. 21.)

4. On February 6, 2020, this Court entered a Stipulation and Order Concerning Filing of Amended of Complaint and Extending Deadline for Defendants to Respond, which provided Plaintiff until February 12, 2020, to file an amended complaint and vacated the Defendants’ deadline to respond to the Initial Complaint. (ECF No. 24.)

5. On February 12, 2020, Plaintiffs filed an Amended Class Action Complaint (the “Amended Complaint”), adding BLIC as a party. (ECF No. 26.)

6. Currently, MetLife’s and Brighthouse Inc.’s deadline to respond to the Amended Complaint is February 26, 2020. *See* Fed. R. Civ. P. 15(a)(3).

7. On February 21, 2020, Plaintiff requested that BLIC waive service of the Amended Complaint and Summons.

8. Pursuant to the waiver of service signed by BLIC, BLIC’s deadline to respond to the Amended Complaint is April 21, 2020.

9. The Parties stipulate and agree to make the deadline for all Defendants to respond to the Amended Complaint to March 20, 2020, which reflects an extension for Brighthouse Inc. and MetLife and a shortening of the response time period for BLIC.

10. If Defendants file dispositive motions with respect to the Amended Complaint, then Plaintiffs shall file their response or an amended complaint pursuant to Federal Rule of Civil Procedure 15(a)(1) on or before May 1, 2020 and Defendants shall file their reply briefs on or before May 22, 2020.

11. Good cause exists to extend the deadlines. MetLife and Brighthouse Inc. currently have a different deadline to respond to the Amended Complaint than BLIC. However, Defendants expect that similar issues will be raised across briefing for all Defendants such that it would be most efficient to set a single response deadline. Further, Brighthouse Inc. and BLIC expect that if a single response deadline is set they will be able to file a single consolidated brief. Additionally, the Amended Complaint raises six causes of action arising under theories of tort and contract liability, as well as alleging putative class action claims. Defendants also expect that their motions to dismiss will involve arguments for lack of personal jurisdiction. In light of the numerous complex issues raised in this matter, the multiple parties involved, and the fact that the Defendants would otherwise be proceeding on different schedules, good cause exists to make the deadline for all Defendants to respond to the Amended Complaint March 20, 2020. ~~for Plaintiffs to oppose or otherwise respond May 1, 2020, and, if Plaintiffs oppose, for Defendants to reply May 22, 2020.~~

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12. This is the first request to extend time, is made in good faith, and will not impact any other deadlines.

Dated this 24th day of February, 2020.

BAILEY ♦ KENNEDY

By: /s/ Paul C. Williams

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Dated this 24th day of February, 2020.

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Dated this 24th day of February, 2020.

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IT IS SO ORDERED.


HONORABLE NANCY J. KOPPE
UNITED STATES MAGISTRATE JUDGE

DATED: February 25, 2020